I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Attention: Office of Petitions, Commissioner for Patents, Washington, D.C. 20231 on

July 30, 2003

Date of Deposit

Michael E. Milz, Reg. No. 34,880

Name of Applicant, Assignee or Registered Representative

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Application of:)
Naoya Hasegawa et al.))
Serial No.: 09/774,781) Examiner: George J. Letsher
Filing Date: January 30, 2001) Group Art Unit No.: 2653)
For: SPIN VALVE THIN FILM MAGNETIC ELEMENT AND)

RECEIVED

Our File No. 9281/3917

ALPS Client Reference NO. N US00009

AUG 1 1 2003

DECLARATION OF MICHAEL E. MILZ

Technology Center 2600

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Washington, D.C. 22313-1459

The undersigned hereby states as follows:

METHOD FOR MAKING SAME

 The above-identified application was filed in the United States Patent and Trademark Office by the firm of Brinks, Hofer, Gilson, and Lione on January 30, 2001.

- 2. Attorney for Applicants contends that the original Notice of Allowance and Issue Fee Due was never received, and attests that a search of the file jacket and docket records indicates that the Office communication was never received by Applicant's attorney's law firm of Brinks, Hofer, Gilson, and Lione, in Chicago, Illinois.
- Attached hereto as Exhibit 1 in support of this declaration is a copy of the docket report where the non-received Office Action would have been entered had it been received.
- This declaration, and accompanying petition and supporting materials are being timely filed in response to the Notice of Abandonment dated June 27, 2003.
- 5. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date: July 30, 2007

Michael E. Milz, Reg. No. 34,880